

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-v-

AMERINDO INVESTMENT ADVISORS
INC., *et al.*,

Defendants.

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DATE FILED: 4/10/2012

No. 05 Civ. 5231 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of an emailed message from Defendant Gary Tanaka, dated April 9, 2012, requesting leave to submit attachments, consisting of “GX’s or PDF’d letters and email transmissions,” to his response to Plaintiff’s pre-motion letter. However, Defendant provides no indication as to the number or size of the proposed attachments. The Court’s usual individual practice of disallowing attachments and exhibits to pre-motion letters is aimed at obtaining brief statements of each side’s position. Without any information as to the nature of Defendant’s proposed attachments, it is impossible to determine whether they will be useful to that end. Accordingly, IT IS HEREBY ORDERED THAT Defendant’s request is denied without prejudice to renewal.

Defendant also requests that all letters submitted in this case, as well as the related criminal matter, No. 05 Cr. 621 (RJS), be docketed. The only letters properly sent to the Court in this matter are pre-motion letters in advance of pre-motion conferences, which are held on the

record. Moreover, the general policy in the Southern District of New York is to not docket letters, and the Court sees no reason to depart from that practice in this instance.

SO ORDERED.

Dated: April 10, 2012
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE